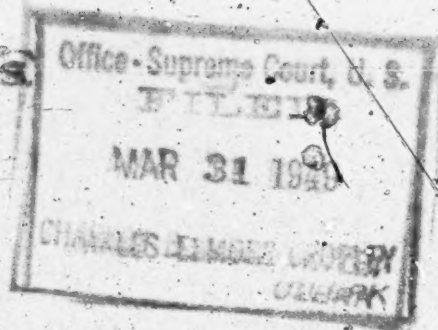


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SUPREME COURT, U. S.



No. 40

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**In the Supreme Court of the United States**

*October Term, 1948.*

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**OKLAHOMA TAX COMMISSION, *Petitioner,***

***vs.***

**THE TEXAS COMPANY, *Respondent.***

---

**MOTION FOR ENLARGEMENT OF TIME TO FILE  
PETITION FOR REHEARING.**

---

**B. W. GRIFFITH,  
Tulsa, Oklahoma,  
*Counsel for The Texas Company.***

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THE TEXAS COMPANY, *Respondent.*

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Comes now The Texas Company, respondent in the above cause, and hereby shows to the Court: -

1. That it desires to file petition for rehearing in this case, not upon the main issue presented to and decided by the Court, but upon other substantial grounds available to it, although not previously presented, that is, that the decision herein should operate prospectively only, and not retrospectively.

2. That it believes, and so states, that its petition for rehearing, submitted herewith, is meritorious, and should be sustained as to the single proposition therein set forth, namely, the prospective instead of the retroactive application of said decision. That the relief prayed for therein is in accordance with law, would serve the ends of justice and would prevent undue hardship upon said respondent.

3. That counsel did not learn that the Court's Rule 33 had been changed so as to shorten the time allowed for filing petition for rehearing to fifteen days (subject to the Court's power to enlarge the time), until after said fifteen days had expired. That failure to ascertain that this change had been made in the Court's Rules was not due to any lack of due diligence.

4. That the time for the issuance of mandate herein has not expired, the mandate has not been issued, and that this Court retains jurisdiction of this case.

Wherefore, said The Texas Company prays the Court to enter an order herein enlarging the time to file its said petition for rehearing in this cause No. 40, October Term, 1948, said petition for rehearing accompanying this motion, and to permit the filing of same *instantly*.

Dated March 30, 1949.

B. W. GRIFFITH,  
Tulsa, Oklahoma,  
*Counsel for The Texas Company.*

